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MINUTES OF THE ZONING BOARD
PUBLIC HEARING & REGULAR MEETING,
HELD MONDAY, APRIL 21, 2014, 7:00 P.M.,
4TH FLOOR, CAFETERIA, GOVERNMENT CENTER
BUILDING, 888 WASHINGTON BLVD,
STAMFORD, CT 06901

Present for the Board: Tom Mills, Barry Michelson, William Morris, Rosanne McManus, David Stein and Joanna Gwozdzowski. Present for staff: Norman Cole, Land Use Bureau Chief and David Killeen, Associate Planner

Chairman Mills called the meeting to order and opened the Public Hearing at 7:10 p.m.

PUBLIC HEARING

1. **Application 213-28 – THE FIRST PRESBYTERIAN CHURCH OF STAMFORD, CT & FULLER DEVELOPMENT, LLC, REVISED Text change,** to Amend Article III, Section 9-D-4-d by adding language for residential signage similar to that covered by C-N District standards, Section 9-D-5-c-7 by adding language modifying minimum front yard requirements and of Section 9-D-5-c-8-a through Special Exception approval to reduce the minimum number of off-street residential parking spaces and to permit shared parking per Section 12-D-1-b of the zoning regulations.
2. **Application 213-29 – FIRST PRESBYTERIAN CHURCH OF STAMFORD, CT & FULLER DEVELOPMENT, LLC, 1101 Bedford Street, REVISED Special Exception and Site and Architectural Plans** requesting approval of special exceptions and site plans to consolidate two adjoining parcels currently siting a customary church building and daycare center into a subdivided 9.7 acre site in an R-H zone in order to construct a new 175 residential unit complex of 6.5 stories, site improvements and parking. Special Exceptions would permit BMR fee-in lieu, professional office use on ground floor, reduced setback on Morgan Street, reduced parking ratio and underground parking.

Mr. Mills read a description of the applications into the record and the exact proposed text change being requested.

Mr. Michelson read a copy of the Planning Board referral letter into the record.

Attorney William Hennessey, for the Applicant, delivered a Certificate of Mailing and explained in the future, the parcel will be subdivided into 2 lots; he introduced his consultant team and principals and explained the design review process. He described surrounding developments and that the property is in Master Plan Category #5, Zoned R-H. The lot can support more than 500 units but 175 are proposed. He presented the site plan and detailed the project.

David VanDyke, Minister, First Presbyterian Church, explained the community activities of the church; they've been losing membership and suffered deficit budgets over the last 2 decades. They need to raise money to maintain the church and support ministries.

Mark Letterman, 54 Knickerbocker Avenue, described church development of a strategic plan for the future of the church, its ministries and funding sources.

Juanita James, 101 Dogwood Lane, described the many leaks at the church resulting in water damage and she described the church community service activities, music and art activities.

Sam Fuller, Principal, described the building architecture. He described some of the goals they were trying to achieve with the design, developed in partnership with the Church. Some of the design challenges included: long street frontage, an elevation change of approximately 12 feet, an interest in preserving “the Bowl” in front of the existing Church which poses an iconic look, the need to enhance pedestrian connections, and the desire to restructure parking to be more functional for the Church. Mr. Fuller thanked Architect David Gamble for his guidance in improving the design.

David Gamble, design architect for Land Use Bureau reported that his critique focused on three elements of the design: 1) reduction of the length of the building along Morgan Street. After modifications, this building was reduced by 35%. 2) Building façade was repetitive and “relentless”. Changes were made to break up the surface and introduce new features and 3) improving the pedestrian interface.

Ms. McManus asked for an explanation of the balconies. Mr. Gamble said they can look tacked-on and they’ve agreed to increase their depth.

Mr. Michelson asked if the project needed the street centerline setbacks to be changed. Mr. Gamble said he thought the building has the correct relation to the street.

Ms. McManus asked what materials have they avoided. Mr. Gamble said they avoided EIFS. Concrete block can work well and they wanted the focus to be on the first two stories.

Mr. Stein asked if they would review the final construction plans. Mr. Gamble said he’d be happy to continue to be an advisor to the project.

Mr. Mills discussed the Juliette balconies and asked if someone could actually sit on them. Mr. Fuller said no but when you sit inside the balconies give the sense of depth.

Mr. Stein asked if the balconies would look like Parallel 41. Mr. Fuller said no and they do understand that this is an important issue.

Mr. Mills asked if anyone from the Public would like to comment.

Jim Mazzeo, Treasurer of Strawberry Patch condos (21 units) expressed concern with traffic at the intersection of Morgan Street & Fifth Street.

Brenden Lydon, representing Jason Schlessinger, owner of buildings north and east of this project, asked the Board to consider not lowering the parking standards because this area is not in the downtown district. They think a 6-1/2 story building is out of scale with the church.

Compact spaces don't work. The subdivision should be done first. No text change and the project should comply with current regulations.

Cynthia Reeder, Board of Representatives, District 11, told the Board this project needs a bigger setback and they should consider the pedestrian experience. Regarding signage, they shouldn't need more than one sign and it shouldn't advertise the project. They should update the ULI reference to 2005, clarify the commercial use, and limit mixed use to professional offices only. They should make sure the sidewalks are kept clear of obstructions and consider increasing the width of the sidewalks and allow for a greater front setback.

Esther Giordano encouraged the Board to use the BMR payment to create senior housing. She's concerned that parking should be adequate.

Mr. Mills continued the public hearing on these matters to the next meeting scheduled for Monday, April 28, 2014 at 7:00pm in the 4th Floor Cafeteria. He called a brief recess and resumed the public hearing at 9:12pm.

3. **Application 213-43 – RICHARD REDNISS, Text change,** to Amend Appendix B, Footnote #4 by adding Master Plan Category #10 Downtown Corridor to locations in which density may be reduced by Special Exception for Mixed-use projects in the C-G or CC-N Districts.
4. **Application 213-44 – RICH CAPPELLI ASSOCIATES, LLC & LOUIS R. CAPPELLI FAMILY LTD. PARTNERSHIP II, Special Exception, REVISED Site & Architectural Review and Coastal Site Plan Review,** large scale development for 650 residential units and associated site improvements in two towers at the corner of Tresser and Atlantic Streets, acquisition and historic preservation of the Post Office at 421 Atlantic Street, over 41,000 sf of ground floor retail space and two parking garages in a CC-N district. Special Exceptions requested include large scale development, increased density, and conversion of commercial FAR into dwelling units, historic preservation premium, parking at 1:1 ratio, reduced rear yard, partial waiver of open space and fee-in-lieu for BMR. Simultaneous application with St. John's Parcel to authorize transfer of 240 residential units and parking.
5. **Application 213-45 – SAINT JOHN URBAN DEVELOPMENT CORP, Special Exception,** requesting conversion of commercial development rights to authorize 240 existing residential units, permit one parking space per dwelling onsite (148 spaces) and adjacent (93 spaces), fee-in-lieu funds for BMR requirements all in conjunction with the large scale development for Cappelli at Tresser and Atlantic Streets in a CC-N district.

Mr. Mills read a description of the applications into the record and the exact proposed text change being requested.

Mr. Michelson read a copy of the Planning Board referral letter into the record.

Attorney Amy Souchuns, for the Applicant, delivered a Certificate of Mailing and described the site and architectural plans, discussed the pedestrian oriented frontage and open space and the status of the federal law suit. They have Phase I financing lined up and the North Tower (Phase I) can be built independently of the Post Office property. St. John's parking would be relocated into Phase I until Phase II is built.

Chris Lesard discussed the open space on the roof of the 4th floor and how this will connect from Phase I to Phase II. They're considering restoring the original rear wall of the 1916 Post Office and he presented a new façade treatment for the Phase I garage.

Attorney Souchuns reported that Kathy Hennessey of the project team was working with the State Historic Preservation Office to obtain an update to the agreement for restoration of the Post Office. Board Members encouraged the Applicant to bring in a preservation architect to assist with this application.

Eric Raines, Landscape Architect explained the open space calculations and presented arborist assessments of the magnolia tree.

Richard Redniss discussed that the open space is at the Zoning Board's discretion in the downtown district. Mr. Mills said the Board would need to see the Open Space calculation for the North Tower.

Mr. Mills asked if anyone from the Public would like to comment.

Debra Sherwood, Executive Director of the Center for Art and Mindfulness, presented models comparing tower heights to the Post Office. The materials in the towers (glass) are not compatible with the Post Office architecture. They recommend that the Post Office be used as an art center.

Drew Backstrand discussed the federal law suit.

Esther Giordano felt they should provide a pocket park open to the public and make the Post Office building open to the public as well.

Wes Haynes, Executive Director Historic Neighborhood Preservation, opposed removal of the 1939 addition. The south façade is visible from Federal Street. The addition was a work room that tested new Pitney Bowes technologies.

Attorney Souchuns summarized questions posed by the Zoning Board. They plan to meet this Thursday with Wes Haynes to explore the feasibility of saving the 1939 addition. Mr. Morris asked for a written response to the Staff Report issues raised.

Mr. Mills continued the public hearing on these matters to the next meeting scheduled for Monday, May 5, 2014 at 7:00pm in the 4th Floor Cafeteria. If the 4th floor cafeteria becomes available, the meeting will be moved there.

REGULAR MEETING

Mr. Mills seated alternate David Stein.

Mr. Michelson made a motion to table the minutes of March 24, 2014, seconded by Mr. Stein and the motion was unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Stein).

PENDING APPLICATIONS:

1. **CSPR-949 – COLOMBO, 69 Davenport Drive**, to elevate the existing dwelling to 15.4 feet, construct access stairs and a deck to bring the dwelling into conformance with Flood Prone Area regulations on 0.211 acres in an R-10 coastal flood area.

The Board acknowledged they had reviewed the materials for this application.

After a brief discussion, Mr. Morris moved to approve the application subject to conditions presented by EPB. Ms. McManus seconded the motion and the application was unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Stein). The conditions will read as follows:

1) Work shall comply with the following plans and correspondence:

- *“Correspondence form Leonard D’Andrea, P.E., Rocco V. D’Andrea, dated March 25, 2014 and April 9, 2014.*
- *“Draft Flood Preparedness Plan for Residents of 69 Davenport Drive, Stamford, Connecticut,” by Rocco V. D’Andrea, Inc., dated April 8, 2014.*
- *“Development Plan,” Residential Improvements at 69 Davenport Drive, Stamford, Connecticut, Prepared for Laurie L. Hiller and Justin E. Columbo, by Rocco V. D’Andrea, Inc., dated February 18, 2014.*
- *“Plan Sections and Details,” and “Sections and Details,” 69 Davenport Drive, Stamford, Connecticut, Columbo Residence, by Carl E. Ruspini, P.E., revised February 18, 2014.*
- *“Foundation Plan and Details,” “Smart Vent Details,” and “Building Sections,” Additions and Alterations to the Columbo Residence, 69 Davenport Drive, Stamford, Connecticut 06902, Sheets A-0, A-0A and A6, by Carl E. Ruspini, revised April 8, 2014.*
- *“Title Sheet,” “First Floor Plan,” “Roof Plan,” “Exterior Elevations,” “Exterior Elevations,” “Exterior Elevations,” “Garage Electrical Plan,” and “First Floor Electrical Plan,” Additions and Alterations to the Columbo Residence, 69 Davenport Drive, Stamford, Connecticut 06902, Sheets TS, A-1, A-2, A-3, A-4, A-5, E-0, and E-1, by Carl E. Ruspini, dated March 14, 2014.*
- *“Zoning Location Survey of Property at 69 Davenport Drive in Stamford, Connecticut Prepared for Laurie L. Hiller and Justin E. Columbo, by Rocco V. D’Andrea, Inc., date December 5, 2013.*
- *Topographic Survey of Property at 69 Davenport Drive in Stamford, Connecticut Prepared for Laurie L. Hiller and Justin E. Columbo, by Rocco V. D’Andrea, Inc., dated September 10, 2013.*

- *“Drainage Summary Report for 69 Davenport Drive, Stamford, Connecticut,” Prepared for Laurie Hiller and Justin E. Columbo, by Rocco V. D’Andrea, Inc., dated December 5, 2013.*
 - *“Planting Plan,” 69 Davenport Drive, Stamford, Connecticut by Environmental Land Solutions, LLC., dated March 27, 2014.*
- 2) *Submission of a performance bond, certified check or other acceptable form of surety to secure the timely and proper performance of sediment and erosion and construction controls, landscaping, professional supervision and certifications, plus a 15% contingency. A detailed estimate of these costs must be supplied to EPB Staff for approval prior to the submission of the performance surety. The performance surety shall be submitted to EPB Staff prior to the start of any site activity and issuance of a building permit.*
 - 3) *Final civil and architectural drawing subject to the review and approval of EPB Staff prior to building permit. Note that minor adjustment of grade along the west side of the dwelling may be required to ensure consistency with opening standards.*
 - 4) *Work areas shall be staked in the field by a Connecticut surveyor prior to the start of any site activity.*
 - 5) *Temporary sediment and erosion and construction controls shall be installed per the approved plans and approved in writing by EPB Staff prior to the start of any site activity.*
 - 6) *Prior to the start of any framing or the placement/replacement of any house boxes a Connecticut land Surveyor shall provide an interim improvement location survey/data accumulation plan to confirm elevations of the top of the unfinished foundation walls, crawl space and garage floor, wall openings, and other pertinent features.*
 - 7) *All disturbed earth surfaces shall be stabilized with topsoil, seed, mulch, sod, stone or other EPB approved alternative prior to the issuance of a certificate of occupancy and release of surety. This condition applies not only to disturbed earth surfaces subject to landscaping but also to areas under any exterior decks, stairs, driveway surfaces, etc.*
 - 8) *All final drainage modifications, utilities, final stabilization measures and other engineered elements shall be completed under the supervision of a Connecticut registered professional engineer/surveyor with an improvement location survey (surveyor) and written certifications (engineer) submitted to EPB Staff prior to the receipt of a signature authorizing the issuance of a certificate of occupancy and release of surety.*
 - 9) *All approved landscaping and mitigative measures shall be conducted under the supervision of a qualified landscaping professional with written certifications*

submitted to EPB Staff prior to the receipt of a signature authorizing the issuance of certificate of occupancy and release of surety.

- 10) All floodproofing shall be conducted under the supervision of a professional engineer or architect registered in the State of Connecticut. Upon the completion of the construction, and prior to the issuance of a certificate of occupancy/return of surety, a Connecticut registered engineer or architect shall certify (signed and sealed correspondence) that the structure and all attendant facilities have been constructed in accordance with Section 7.1 of the Zoning Regulations ("Flood Prone Area Regulations of the City of Stamford) and are capable of withstanding the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood. The letter of certification shall reference each floodproofing measure incorporated into the building.*
- 11) Upon the completion of the construction and prior to the issuance of a certificate of occupancy, a Connecticut registered professional surveyor shall:*
 - Certify (signed and sealed plan) the final elevation of: i) garage, crawl and primary floor levels, ii) top of the unfinished foundation walls, iii) the bottom elevation, size and exterior grade at wall openings, iv) bottom elevation of meters/panels, v) top of the AC units equipment platform, vi) other facilities as deemed appropriate by EPB Staff.*
 - Complete a standard "National Flood Insurance Program Elevation Certificate."*
- 12) Upon the completion of construction and prior to the receipt of a final certificate of occupancy, finalization of the "Flood Evacuation Plan" subject to the review and approval of EPB Staff.*
- 13) he applicant shall file a **standard** notice on the Stamford Land Records disclosing the following information*
- 14) Upon the completion of construction and prior to the receipt of a final certificate of occupancy, the applicant shall file a **standard** notice on the Stamford Land Records disclosing the following information.*
 - The subject property lays, in its entirety, within a known flood hazard area described as Zone AE, Elevation 12 feet NAVD-88, as depicted on Flood Insurance Rate Map 09001C0516G, dated July 8, 2013.*
 - A permit (69 Davenport Drive, Laurie Hiller and Justin Columbo, CSPR 949, 4/14) has been issued by the Zoning Board of the City of Stamford to allow the construction of a new single family dwelling, drive, and other related facilities on the subject property having coastal resource identified as "Coastal Flood Hazard Zone."*

- *Acknowledge the existence of the "Flood Preparedness Plan."*
- *Restrictions prohibiting the use or modification of the enclosed areas below the limits of the minimum elevation standard of 13 feet NAVD-88. Specific enforcement provisions for non-compliance shall be included.*

15) *In-ground fuel storage is prohibited.*

16) *Submission of a **standard**, City of Stamford landscape maintenance agreement to ensure the success of landscape features prior to the receipt of a final certificate of occupancy and return of surety.*

OLD BUSINESS

1. **CSPR-907 – FOSTER, 77 Weed Avenue**, demolish existing dwelling and construct a new two family residence in an R-5 district in a coastal flood hazard area zone at 77 Weed Avenue (*request for time extension*).

Mr. Killeen summarized the request for time extension.

After a brief discussion, Mr. Stein moved to approve the time extension, seconded by Ms. McManus and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Stein).

2. **Application 207-12 & 13 - BBSF, LLC and Affordable Housing Development Company (Metro Green)**, Special Exception, General Site and Architectural Plans & Requested Uses and CSPR (*request for time extension*).

Mr. Killeen summarized the request for time extension.

After a brief discussion, Mr. Michelson moved to approve the time extension, seconded by Mr. Morris and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Stein).

3. **Application 212-05 - BBSF, LLC Metro Tower**, Final Site Plans and CSPR (*request for time extension*).

Mr. Killeen summarized the request for time extension.

After a brief discussion, Mr. Stein moved to approve the time extension, seconded by Mr. Morris and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Stein).

Mr. Stein made a motion to take the agenda out of order, seconded by Mr. Morris and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Stein).

5. **Application 210-44 –STAMFORD EXIT 9, LLC** – administrative review of alternative façade treatment on a portion of the building.

Attorney Lisa Feinberg presented, with the architect from Perkins Eastman, signs to come in at a later time. The Blachley façade has changed and the architect explained the proposed materials

After a brief discussion, Mr. Michelson moved to approve the alternative exterior materials, seconded by Ms. McManus and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Stein).

4. **Application 213-20 – CCMCR HS 700 CANAL STREET, LLC; CCMCR HS 850 CANAL STREET, LLC; CCMCR HS 880 CANAL LLC; CANAL STREET HARBOR SQUARE, LLC**, Special Exception, Site & Architectural Plans and/or Requested Uses and Coastal Site Plan Review
(request for modification of Condition 8 approval).

Attorney William Hennessey presented a report. He said there's no possibility of opening the Marina by May 22, 2014 based on further study by the owner. There's been a report by Race/Roberce Association that the tanks are offsite and in deteriorated condition. Permits and soil remediation are still required.

Mr. Mills asked for options for use of the site and timing of application and report back to the board by the next meeting. He tabled this item until the next meeting on April 28, 2014.

Mr. Michelson made a motion to adjourn, seconded by Mr. Morris and unanimously approved 5 to 0 (Mills, Michelson, Morris, McManus and Stein) and the meeting adjourned at 11:32pm.

Respectfully submitted,

Barry Michelson, Secretary
Stamford Zoning Board